

UNITED STATES DISTRICT COURT

for the

Northern District of Alabama

United States of America

v.

WESTON MACKENZIE STIDHAM

Case No.

23-195

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 25, 2023 in the county of Jefferson in the
Northern District of Alabama, the defendant(s) violated:*Code Section**Offense Description*Title 21 U.S.C. Section 841(a)(1)
and (b)(2)knowingly and intentionally possess with the intent to distribute a controlled
substance.

Title 18 U.S.C. Section 924(c)(1)(A)

knowingly possess a firearm, including but not limited to, a Remington 12
Gauge shotgun, a Savage 6.5 caliber rifle, a Marlin .22 caliber rifle, a Sig
Sauer 9mm pistol, a Smith and Wesson 9mm pistol, a CZ 12 gauge shotgun,
an Anderson Maf., AM-15 pistol, and an Anderson Maf., 5.56 caliber rifle.

This criminal complaint is based on these facts:

See Attached Affidavit of ATF SPECIAL AGENT CAMERON SPIVEY

☒ Continued on the attached sheet.CAMERON
SPIVEYDigitally signed by CAMERON
SPIVEY
Date: 2023.04.28 14:12:30 -05'*Complainant's signature*

ATF Special Agent Cameron Spivey

Printed name and title

Sworn to before me and signed in my presence.

Date: 04/28/2023*Judge's signature*City and state: Birmingham, Alabama

Gray M. Borden, U.S. Magistrate Judge

Printed name and title

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	Mag. No. 23-195
)	
WESTON MACKENZIE STIDHAM,)	
)	
Defendant.)	

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

Comes now your Affiant, Special Agent Cameron Spivey, with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), being first duly sworn, hereby depose and state as follows:

1. I have been a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) since January 2018. Prior to working as a Special Agent, I served as a United States Probation Officer for the Southern District of Alabama and as a patrol officer in Birmingham, Alabama. In total, I have over ten years of law enforcement experience. I have experience in crime scene investigations in the areas of violent crimes to include robberies, crimes against person, homicides, etc. I have received specialized training in investigative techniques, surveillance techniques, and specific training regarding death investigations, major case investigations, firearms trafficking, drug trafficking, arson investigations, explosives investigations, and tobacco investigations. I have conducted and/or participated in the execution of federal/state search warrants, arrest warrants, and I have prepared written affidavits. During my law enforcement career, I have debriefed defendants and witnesses. I have conducted interviews of suspects and prepared detailed investigative reports. I have conducted surveillance, both

physical and technical, using highly specialized electronic equipment.

2. I am a graduate of the Alabama Peace Officer's Standards and Training Commission (APOST), the Federal Law Enforcement Training Center (FLETC) U.S. Courts- Probation and Pretrial Services Training Academy, the Department of Homeland Security Criminal Investigator Training Program (CITP), the ATF National Academy Special Agent Basic Training (SABT), and the FLETC Firearms Instructor Training Program (FITP). As an ATF Special Agent, one of my principal assignments is to investigate violations of federal firearms laws.

3. Your Affiant's current duties and responsibilities as an ATF Special Agent include investigating violations of federal criminal laws. Based on my training and experience, your Affiant is familiar with violations of Titles 18 and 21 of the United States Code (U.S.C.). Specifically, your Affiant is well versed in Title 18 Section 922 offenses regarding criminal violations as they relate to firearms. Based on my training and experience in law enforcement, your Affiant is also familiar with Title 21 U.S.C. Section 841 offenses, which make it a federal offense to distribute controlled substances and/or possess with the intent to distribute controlled substances, and Title 18 U.S.C. Section 924(c), which criminalizes the Possession of a Firearm in Furtherance of a Drug Trafficking Offense under federal law. Additionally, your Affiant investigates federal violations related to Title 21 U.S.C. Section 841(a)(1), Possession with the Intent to Distribute and Distribution of Controlled Substances; 843(b), Use of a Communications Facility to Commit a Controlled Substance Felony and 846, Conspiracy to Possess with the Intent to Distribute and Distribute Controlled Substances.

4. This Affidavit is made in support of a criminal complaint against **Weston**

Mackenzie STIDHAM (W/M, DOB: 10//1986)**, and is based on official records, reports, and information provided to me by other law enforcement officers. This Affidavit is merely intended to show that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge of this investigation.

PROBABLE CAUSE

5. On April 25, 2023, at approximately 6:00 AM, Birmingham Police Department (BPD) Vice/Narcotics Unit executed a state search warrant at Weston Mackenzie STIDHAM's residence located at 4021 Danbury Circle Birmingham, Alabama 35243. This state search warrant had been authorized by Jefferson County District Court Judge A. May on April 20, 2023.

6. Upon entry into STIDHAM's residence, BPD Officers made contact with and detained STIDHAM's wife, N.S. During the clearing of the residence continued, STIDHAM was discovered to be in the shower. STIDHAM was called down from the shower, exited the master bedroom and was also detained in the living room. Additionally, STIDHAM's two infant children were found to be in a room near the master bedroom. Lastly, in the lower-level bedroom of this residence, two other individuals were detained and then identified as P.L. and C.L.

7. After the residence was secured, BPD Officers/Detectives conducted an orderly and thorough search, pursuant to the authorization of the state search warrant. The

evidence recovered during the state search warrant is listed below, along with a timestamp of the recovery, location, and the item(s) recovered:

- a) At around 6:08 AM, from the kitchen counter, multiple marijuana pipes, a digital scale, and a dinner plate of loose marijuana were recovered.
- b) At around 6:25 AM, from the kitchen cabinet and a kitchen drawer, multiple bags of individually packaged marijuana, a bag of Xanax pills, a digital scale, a vacuum sealer, rolls of vacuum seal bags, a mushroom chocolate bar (98g), hydrocodone syrup (50ml), and two bottles of steroids (3000ml) were recovered.
- c) At around 6:25 AM, from STIDHAM's black Ford F-150, a firearm, to wit: a Smith and Wesson, Shield, 9mm caliber pistol, serial number: JMV4315, was recovered from the center console, along with a blunt of marijuana. Additionally, from STIDHAM's black Ford F-150 back seat, a KGM .30 caliber suppressor, serial number: R300663, was recovered.
- d) At around 6:25 AM, from STIDHAM's GMC Yukon, a firearm, to wit: a Smith and Wesson, Shield, .380 caliber pistol, serial number: RJK6098, was recovered.
- e) At around 6:30 AM, from the master bedroom, several firearms were recovered including the following:
 - CZ, 12 GA shotgun, serial number: 22S10684
 - Remington, 12 GA shotgun, serial number: CC19672A
 - Savage, bolt action 6.5 caliber rifle, serial number: P299163

- Bergara, bolt action .308 caliber rifle, serial number: 61-06-227067-21
- Century Arms, .308 caliber rifle, serial number: C56218
- Marlin, .22 caliber rifle, serial number: 17455283
- American Tactical, .22 caliber rifle, serial number: A912614
- Sig Sauer, P320, 9mm caliber pistol, serial number: 58J157100
- Palmetto State Armory (PSA), Dagger, 9mm caliber pistol, serial number: SZ001635
- Smith and Wesson, Shield, 9mm caliber pistol, serial number: RHK0725
- Heritage, .22 caliber revolver, serial number: 3PH164355
- Radical, 5.56 caliber pistol, serial number: 2-010627
- Smith and Wesson, .22 caliber rifle, serial number: LAH5864
- Palmetto State Armory (PSA), .308 caliber rifle, serial number: G373360
- Freedom Ordinance, 9mm caliber pistol, serial number: 046374 with brace

(Note: According to the recently passed ATF Final Rule 2021R-08F, “Factoring Criteria for Firearms with Attached Stabilizing Braces”, this firearm was configured as a short barrel rifle and will require NFA registration no later than May 31, 2023).

- Anderson Manufacturing, AM-15, .300 blackout pistol, serial number: 21384828 with brace

(Note: According to the recently passed ATF Final Rule 2021R-08F, “Factoring Criteria for Firearms with Attached Stabilizing Braces”, this firearm was configured as a short barrel rifle and will require NFA registration no later than May 31, 2023).

- Anderson Manufacturing, 5.56 caliber rifle, serial number: 17076176
- f) At around 6:46 AM, from the master bedroom closet located in a locked safe, numerous vacuum sealed pound bag(s) of marijuana, THC vape cartridges (91 packages equaling one gram per package/piece), THC chocolate bars (37 packages), THC wax packages, a large bag of Xanax pills, and a Pulsefire Flame Thrower bearing serial number: U00532L04.

8. The total weight of narcotics recovered by BPD Officers/Detectives from STIDHAM’s residence is as follows: 3,180 grams of marijuana (a little over seven pounds); 2,048 Xanax pills (642 grams); 91 packages of THC cartridges (91 grams); 4.3 grams of 4300mg edible THC chocolate bars; 98 grams of edible mushroom chocolate bars; 50ml of hydrocodone syrup; 3000mg of steroids; and 296 grams of THC wax.

9. It should be noted that during the state search warrant, STIDHAM was advised of the authority/scope granted by the warrant. Upon being notified the authority/scope of the warrant, STIDHAM decided to notify law enforcement officers as to the location of the narcotics and even identified what some of the seized narcotics were on occasion.

10. Following the conclusion of the state search warrant, BPD Detective Doss transported and submitted the aforementioned evidence to the BPD Property Room. STIDHAM was arrested by BPD and charged with violating Alabama Criminal Laws: 13A-12-212 (Dangerous Drugs- Possession of Dangerous Drugs) and 13A-12-231 (Drug Trafficking).

11. On April 27, 2023, Special Agents with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) learned of the state search warrant at STIDHAM's residence and the subsequent arrest of STIDHAM. ATF Special Agents reached out to the BPD Officers/Detectives regarding this narcotics investigation to glean more information on STIDHAM and his drug trafficking. Based on the information provided by BPD Officers/Detectives, and the circumstances surrounding STIDHAM's arrest, such as psychedelic drugs in the same residence as infant children, ATF Special Agents decided to pursue a federal case on STIDHAM.

12. Continuing on April 27, 2023, ATF Special Agents Brooks and Cardwell examined the recovered/seized rifles for any operating modifications. In doing so, no modifications were observed by ATF Special Agents Brooks and Cardwell. Because these firearms were already entered and tagged into BPD evidence, the firearm examinations by ATF Special Agents Brooks and Cardwell should be considered preliminary.

13. On April 28, 2023, ATF Special Agent Spivey discussed this case with BPD Detective Doss. ATF Special Agent Spivey confirmed that majority of the suspected

controlled substances that were recovered from STIDHAM's residence were in the original packaging marked with potency/dosage labels. For instance, the suspected marijuana, had potency labels because STIDHAM likely acquired/purchased these controlled substances from another state where the controlled substances can be sold legally according to state law. Of course, these controlled substances (marijuana) would still be illegal to possess/sell according to federal law, as marijuana is a schedule 1 controlled substance. Furthermore, ATF Special Agent Spivey confirmed with BPD Detective Doss that poison control was contacted regarding the purported Xanax pills, which had the "normal perforated ladder hash marks." According to BPD Detective Doss, these pills were in different colors and found near the vacuum sealed bags that are used for individual distribution purposes. Lastly, a consent search of STIDHAM's cellular telephone gleaned communications and photographs/images relating to drug distribution. Based on the observed communications and photographs/images, it was apparent to law enforcement officers that STIDHAM is a drug trafficker.

AUTHORIZATION REQUEST

14. Based on the foregoing, your Affiant opines that there is probable cause to suggest that on April 25, 2023, Weston Mackenzie STIDHAM, was found to be in possession of several firearms and narcotics packaged for distribution purposes in his residence. Based on the quantity and assortment of narcotics in STIDHAM's possession it is evident that he is heavily involved in drug trafficking in and around Jefferson County, Alabama, which is in the jurisdiction of the Northern District of Alabama. STIDHAM's contemporaneous possession of firearms and narcotics is a clear indicator

that the firearms were utilized for protection purposes, while committing narcotics/drug deals. Accordingly, STIDHAM violated Title 18 U.S.C. Section 924(c) (Use/Carry/Possess a Firearm During and in Relation to a Federal Drug Trafficking Crime) and Title 21 U.S.C. Section 841(a) (Distribution/Manufacturing/Possession with Intent to Distribute).

Further Affiant Sayeth Not.

Sworn to telephonically and subscribed
electronically on the 28th of April 2023:

CAMERON SPIVEY

Digitally signed by CAMERON
SPIVEY
Date: 2023.04.28 14:13:13 -05'

Cameron Spivey
Special Agent, ATF



Honorable Gray M. Borden
United States Magistrate Judge